

NORMAN REAPPORTIONMENT AD HOC COMMITTEE MINUTES

May 25, 2022

The Reapportionment Ad Hoc Committee of the City of Norman, Cleveland County, State of Oklahoma met in the Executive Conference Room of the Norman Municipal Building at 201 West Gray Street on Wednesday, May 25, 2022, at 6:30 p.m., and notice and agenda of the meeting were posted at the Norman Municipal Building at 201-A West Gray at least 24 hours prior to the beginning of the meeting and online at https://www.normanok.gov/sites/default/files/documents/2022-05-25_reapportionment_ad_hoc_committee_agenda.pdf.

Item No. 1, being:

CALL TO ORDER.

Joyce Green called the meeting to order at 6:36 p.m.

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Item No. 2, being:

ROLL CALL.

MEMBERS PRESENT

Alli Penner, Ward 1
Lisa Schmidt, Ward 2
Wade Stewart, Ward 3
Sara McFall, Ward 4
Maria Kindell, Ward 5
Joshua Whittington, Ward 6
Alison Behrens Braly, Ward 7
Rebecca Oubre, Ward 8
Christopher Tall Bear, At Large

MEMBERS ABSENT

None

A quorum was present.

CITY STAFF PRESENT

Joyce Green, GIS Services Manager
Kathryn Walker, City Attorney
Roné Tromble, Administrative Technician

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Item No. 3, being:

ELECTION OF OFFICERS.

Lisa Schmidt nominated Christopher Tall Bear as Chair, who accepted the nomination. Joshua Whittington volunteered to serve as Vice Chair. Sara McFall volunteered to serve as Secretary.

Alison Braley moved to accept the nominations. Alli Penner seconded the motion. The motion passed unanimously on a voice vote.

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ITEMS SUBMITTED FOR THE RECORD.

1. Staff Memo: First Meeting of the Reapportionment Ad Hoc Committee
2. ARTICLE XX: REAPPORTIONMENT Section from Charter
3. Memo: Legal Standards for Reapportionment of Ward Boundaries
4. City Council Wards with 2020 Precincts map
5. Residential Construction Permit Activity 2011-2020 map
6. Current Plat Activity map, through March 31, 2022

Item No. 4, being:

ORIENTATION OF MEMBERS.

Ms. Walker talked about the Open Meeting Act. All of our Boards and Commissions are subject to the Open Meeting Act. All of our meetings will have a publicly posted agenda. Anyone can come in and watch the meeting.

We did this process last fall; it did not end with a new map. We have talked about streaming these meetings because no one came to the meetings last time, as I recall, but they were really curious about the process; lots of doubt about whether the process was a good process.

The Charter says the wards have to be formed so as to equalize, as nearly as practicable, the population of the wards. In addition, each ward should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which, in effect, separate voters from the ward to which they most naturally belong.

State Statute has similar language. Wards and ward boundaries shall be reviewed and changed as necessary to form compact and contiguous territory and wards that are substantially equal in population.

We also have to look at not splitting precincts to the extent reasonably possible. One of the issues with the process in our Charter and the timelines it has for doing reapportionment is it put us far ahead of when the County actually redrew their precincts, so it's much better to do it now, when we have new precinct lines, because we can honestly say we tried not to split precincts.

There are two primary goals, and equalizing population is definitely number one. When you see Congressional redistricting, that is really the major consideration and they're talking exact population. For local races, it doesn't have to be exact. You can deviate somewhat to maintain communities of common interest, ethnic background,

and geographic compactness, but they have to be substantially equal in population. The Safe Harbor Rule in case law provides that if your smallest ward and your largest ward do not deviate more than 10% in population, your map is presumed to be permissible. That is something we want to really keep our eyes on, and the software we have will automatically update those population numbers as you move boundaries around, so it's very easy to know the impact of those lines.

Then we want compact and contiguous territory. You hear a lot about gerrymandering. You're going to end up with some odd-shaped wards just to get the population right; that's not necessarily gerrymandering. Gerrymandering is when you draw those wards to give a group some kind of advantage. We will not provide, and we don't want you to be looking at, the turnout numbers in previous elections, Republican versus Democrats, where Councilmembers live – those kind of things – because that's where you can, even inadvertently, get into gerrymandering. That information is really not important for this process. We want to make sure these are as equal as possible in population, and that we've got compact and contiguous territory.

Ms. Braly asked if the language about artificial corridors and where they most naturally belong is trying to cover the gerrymandering situation in odd-shaped wards? Ms. Walker explained we have a rural part of our community and we have an urban part of our community. If population was equal, you would want to keep rural together so those interests are represented, but population cannot be equal. You cannot get the population where it needs to be between wards by doing that so you will have mixed wards where you have multiple interests. We have rural areas of town on the west side of town. You will have mixed wards with different kinds of interests. That's really designed to avoid gerrymandering primarily.

Ms. Green explained the map; the color is the ward and the red lines are the precincts that we're going to try to use whole as much as possible. The County totally redid the precincts. Ms. Penner commented that several of the precincts are going to make it impossible to avoid having some urban and rural combination; for example Precincts 343 and 342. Ms. Walker clarified that you can split precincts; the state statute says try not to, if you can avoid it. Ms. Green added that when we do split precincts, we recommend that you split them on an easily knowable boundary, like a road, a river, something that's very prominent in the landscape that people can tell which side of it they're on when they go to vote.

Ms. Green reported that Ward 6 is the one that's grown the most, and Ward 7. Wards 1, 2 and 3 have grown the least; they're pretty built-out in the area that's actually buildable. We try, to a certain extent, to leave the ones we think that are going to grow the least in the next 10 years a little bit high, and the ones we think that are going to grow the most a little bit low, but that's not always possible.

The Residential Construction Permit Activity map gives you the pattern of how things are being built out. You can tell they're being built out around the outer edges, for the most part, with some infill in Ward 4, a little bit in 3, a little bit in 2, but it's mainly in 6, in 7, parts of 5, and parts of 8 that are seeing a lot of development. I think 8 may be slowing a little bit. The Current Plat Activity map is where there are plats where we know

there's going to be development in the next few years, which pretty much correspond to the previous map. These were provided to give you an idea of how Norman is building out.

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Item No. 5, being:

DISCUSSION AND POSSIBLE ACTION RELATED TO ANNUAL POPULATION FIGURES AND THEIR EFFECT ON THE CITY'S WARD SYSTEM.

DISCUSSION BY THE COMMITTEE.

Ms. Green explained the interactive software. We take pieces from one ward and add it to another ward to see the impact it has. This will give you your target deviation where you can see the ones that are higher. As you change it, these will automatically change and you'll see if you're getting it under the 5% or less that you want to get to. If you could get it to 2 or 3, that's awesome; under 5 is good.

Ms. McFall suggested moving the L-shaped area north of Lindsey Street in Precinct 324 from Ward 7 to Ward 4. Ms. Green said that unsplits Precinct 324. Ward 7 is still pretty high, so there's not a lot of people in that particular piece, although that's probably a good move to stay with, because it does get you closer.

Ms. McFall asked if it is smarter to work from the inside out, or just pick one and start moving. Ms. Green responded she would probably start at one edge or the other, but you can start anywhere. Once you start moving something, everybody is eventually going to get changed. You might end up having to change other things.

Ms. Kindell suggested the northwest corner of Precinct 321 that is in Ward 8 be moved to Ward 4. Ms. Green indicated that made a little bit of progress on Ward 4. It could probably be a little higher, because it's probably not going to have a lot of growth.

Ms. McFall suggested adding Precinct 310 at the south end of Ward 4 to Ward 4. Ms. Green said that makes Ward 4 pretty good; it's a little bit high, but that's not a bad thing because there's not a lot of growth in any of that. You don't end up with any split precincts in that which makes the Election Board happy.

Ms. Penner recommended moving the rest of Precinct 315 into Ward 2 and leave Precinct 312 split, because we don't want to take anyone out of Ward 3, and that split follows the Interstate. Ms. Green agreed that is a good split.

Ms. Kindell asked about Ward 3. Ms. Green said it needs to gain some people; probably the most logical place to go would be Precinct 305 that is adjacent to it. Ms. Kindell noted that's on the west side of I-35 and makes sense. Ms. Green reported that makes Ward 3 a little high. Ms. Kindell said it doesn't look like there's a lot of room for growth in Precinct 305, so even though that bumped Ward 3 up quite a bit, it may not continue to bump it up in the future. Ms. Green explained it's high enough we'll probably need to bring it down a little bit to keep it within the 10% deviation, because it's 6.72 over. Precinct

305 was put back in Ward 8.

Ms. Penner commented that the last proposed map had the northern border of Ward 3 the entire way along Rock Creek. Ms. Green responded that it was following a different precinct. She suggested trying unsplitting Precincts 301 and 303. It is part of the more rural part of Ward 3. There's almost nobody out there, but it's closer. Ms. Kindell asked how the Ward 8 residents will feel about going to Ward 3. Ms. Oubre responded that it is a very diverse ward already. Ms. Penner noted the airport is in the middle of it.

Ms. Penner suggested splitting Precinct 305 approximately diagonally along the creek with the northwestern part in Ward 3, along with the knob at the southwestern corner, and the southeastern part in Ward 8. Ms. Kindell was concerned that might disrupt the rural feel of Ward 3. She suggested Precincts 304 and 305 be completely in Ward 8, and Precinct 301 all be in Ward 3, because Precincts 304 and 305 seem much more urban, and while there is development in Precinct 301, there's also a lot of open space that looks akin to a lot of the rest of Ward 3. Wards 300 and 301 would be Ward 3. Ms. Green indicated that took too much out of Ward 3. Ms. Penner pointed out there were two squares of Precinct 303 originally in Ward 3, between 60th and 48th from Tecumseh down to Robinson. She also suggested taking the two northern precincts that are split with Moore (Precincts 213 and 217) and putting them in Ward 3. Ms. Kindell suggested only the part on the west side of I-35. Ms. Green reported we still need some people in 3. She suggested putting Precinct 304 back in Ward 3; Mr. Stewart agreed. Ms. Green indicated that's too much; Precinct 304 was returned to Ward 8.

Ms. McFall asked if all the wards are within range. Ms. Penner responded that if Ward 3 is our lowest population ward, then the largest population ward couldn't be more than 4.46 above target.

Ms. Braly asked to look at taking the southwest corner of Precinct 302 that runs along Highway 77 north of Tecumseh into Ward 3, with the remainder of the precinct in Ward 8. Ms. Green indicated that Ward 8 needs population. Ms. Penner commented that Ward 6 needs to shrink, so we should add chunks of Ward 6 to Ward 8. Precinct 317 was suggested to be added to Ward 8. Mr. Whittington objected; he said he can't imagine they would grow much more than what they already are, because there's no place for them to grow. Ms. Kindell asked to see what moving Precinct 317 from Ward 6 to Ward 8 would do for the numbers; Ms. Penner reported it put Ward 8 over target. Ms. Kindell suggested moving the section of Precinct 319 east of Porter from Ward 8 into Ward 6. Ms. Penner noted that puts Ward 8 almost right on the money; Ms. Green added that Ward 6 is not bad with that change.

Ms. McFall asked about the overall numbers. Ms. Kindell said Ward 7 needs to come down and maybe Ward 1 up; she suggested moving the triangle that is Precinct 330 from Ward 7 into Ward 1. Ms. Penner thought this triangle culturally fits in really well with Ward 1. That puts Ward 7 right on the money; Ward 1 is a little high. Ms. Green agreed Ward 1 is a little high, and Ward 3 is a little low, but it's not a bad map.

Ms. Kindell suggested moving the east half of Precinct 339, east of 36th, out of Ward 1 and into Ward 5. Ms. Penner reported that brings Ward 1 into range. We can take a couple people out of 5 by taking Precincts 340 and 341, just north, and making them whole by putting the rest of these two into Ward 6, because Ward 6 is a little low right now and we might need to shift some people over; it will unsplit two precincts. Ms. Kindell expressed concern that wouldn't jive with Ward 6 if it is zoned agricultural. Ms. Green said that actually gets everything into overall range. She ran an integrity check, which showed the largest ward is 4.13 over and the smallest is 5.54 under, which is a range of 9.67. This map is acceptable as far as population deviation goes.

Ms. Green commented that the committee needs to decide if this is acceptable. Ms. Penner said the Ward 1 lines look acceptable. Ms. McFall was fine with Ward 4 lines. Ms. Kindell was concerned about the most recent change to Ward 5; even though it unsplit precincts, they feel very strongly that they are rural Ward 5. Mr. Whittington said he feels like Precinct 317 is the core of Ward 6. Mr. Stewart thought Ward 3 became a little bit dysfunctional.

Ms. McFall asked what happens if Precinct 317 is not moved. Ms. Green reported Ward 6 is up 22%; Ward 8 is down 23%. Ms. Kindell suggested moving all of Precinct 319 back to Ward 8. Mr. Whittington asked about splitting Precinct 317. Ms. Oubre felt that area is definitely more common interest with north and east of there; but that doesn't really get us where we need to be in the numbers.

Ms. Kindell asked to put the two squares that were moved from Ward 5 into Ward 6 back into Ward 5 and see what that does to Ward 6's numbers; 36th has been the natural break where the urban and the rural meet. So Ward 6 is now still at 15. Ms. Penner added Ward 1 is a little high; it's pretty close.

Ms. Kindell asked if Ward 5 and Ward 3 could meet; it's rural all across the northern part. Ms. Penner suggested adding Precinct 343 and everything north of it from Ward 6 into Ward 5. Ms. Green pointed out that Ward 5 is already 5.33 high. Ms. Penner noted Wards 1 and 7 are both a little high already, so we can't really expand either of them into Ward 5.

Ms. Green commented Ward 8 needs population and Ward 6 needs to lose population. Ms. Penner suggested reconfiguring Wards 3 and 8 back closer to where they were originally, by moving Precinct 304 back to Ward 3 and then Precincts 301 and 302 back to Ward 8. Ms. Green reported Ward 3 still needs a little bit more and Ward 8 still needs a lot more, because there aren't a lot of people in that area. Ms. Kindell recommended the line along 48th needs to go back to Ward 3 from Ward 8, the area that unsplit Precincts 301 and 303. Precinct 304 needs to go back to Ward 8. Ms. Green said Ward 3 needs quite a few more. Mr. Stewart suggested adding Precinct 305 to Ward 3. Ms. Green thought that may be too many, but suggested trying the creek split that was suggested on the end of Ward 8. Ms. Penner agreed. Ms. Green reported that gets Ward 3 back to an acceptable number, but Ward 8 needs a lot of people. Ms. Penner suggested splitting Precinct 343. Ms. Kindell noted that would be getting out of contiguous and

doesn't make sense. She commented that Precinct 317 would solve a lot. Ms. McFall asked about trying Precinct 341. Ms. Green indicated that would cut off part of Ward 6 and would make a non-contiguous ward.

Ms. Kindell commented that it doesn't make sense to have rural east side with far west side development residential. She suggested putting Precinct 317 in Ward 8. Mr. Whittington asked to see what it would look like to split Ward 6 along Porter with Precinct 317 going to Ward 8. Ms. Oubre suggested splitting Precinct 319 down Porter as well. Ms. Penner said that is a perfect range; Ward 8 is only 15 people off now.

Ms. Green noted Ward 6 needs some more people. Ms. Kindell suggested to continue to split down Porter on Precinct 319, which is just one neighborhood; Porter is a dividing line for elementary schools. Ms. Penner commented that Ward 5 needs to come down a little, and Ward 8 needs to come up a little.

Ms. Kindell suggested Ward 8 get all of Precinct 305, and adding the northeast part of Precinct 301, north of Franklin, into Ward 3, along with Precinct 213 north of Indian Hills and west of I-35. Ms. Green reported Ward 3 is okay percentage wise. Ward 5 is the only one that's out of whack, and it's not so out of whack that it affects anything else.

Ms. Schmidt suggested considering this the first draft, think about it and look at it, and then come back. Ms. Penner said she didn't have any immediate issues with this draft. Ms. Braly said it makes sense. Ms. McFall said it looks like the population numbers are right.

Ms. Kindell asked the downside of voting on it, and the upside of leaving it as a draft. Ms. Green responded that the committee could vote on it and go to public hearing and get input from the public, if you feel like you've done as much as you can as a committee and you want public input, then you could come back and use their input to go forward.

Mr. Whittington said everybody should consider their position with their own wards. I tried to keep 317, but there's no way around it, so that's how I feel from Ward 6.

Ms. Kindell commented at whatever point we go to the public input, we're going to hear great things and bad things. There's no way around that, so do we really want to have two or three meetings before we solicit the public input to then move forward? Ms. Penner said we need the public input as quickly as we can.

Mr. Tall Bear commented it's good to get public input. This is a data-driven decision. We had no political agenda. We looked at the numbers and we presented – and I think it would be good to see if it's a hit or a miss. If it's a miss, then we'll come back, but I think we have a good start. I think you guys did really good and represented your areas well.

Ms. Kindell moved to offer this map for public input as our decided map. Mr. Whittington seconded. The motion carried unanimously on a voice vote.

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Item No. 6, being:

MISCELLANEOUS DISCUSSION OF COMMITTEE AND STAFF.

Staff will look at possible meeting dates and email Committee members about their availability.

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Item No. 7, being:

ADJOURNMENT.

There being no further discussion and no objection, the meeting adjourned at 8:08 p.m.

Passed and approved this 6th day of July, 2022.



Sara McFall, Secretary
Reapportionment Ad Hoc Committee